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Sub-Category	Description	Policy Requirements	Source	Preemption	Principle Categories
CA State Law - Preemption					
	CMIA - CA Medical Information Act	Especially protected mental information that may only be released with a signed written request, that includes specific data elements, intended use, for how long information will be kept, information may not be used for other purposes outside what's specified on the written request, data will be destroyed or returned to originator after time specified on the request.	CA Civil Code 56.104		5. Use Limitation, 6. Purpose Limitation
	IPA - Information Practices Act	No preemption for IPA except 1798.18 Part. P records accuracy, timeliness; 1798.19 Tot. P contracting for record maintenance; 1798.24(d) use of info by govt.,(e) statutory duties, (j) state archives,(k) court orders,(l) warrants,(n) Part.P payment claims,(p) investigations,(s) legislature;1798.24a Tot P by 164.502 Use & Disc & .506 TPO & .508 authorizations for law enforcement; 1798.24b Part P for investigating cases of abuse/neglect - Labor Code Concessionaire;1798.26 Tot P sales of DMV info; 1798.28 Tot P by 164.528 informing of amendments changes to disclosure receivers; 1798.33 Part.P by 164.524(c)(4) fees for copies; 1798.35 Part.P by 164.526 amendments; 1798.36 Tot.P by 164.530(d) for disagreement with denials; 1798.37 Tot.P by 164.526(d) disagreements to recipients of disclosures; 1798.60 & .64 Tot.P by 164.502, .506, & .508 for commercial purposes & DGS storage; 1798.68 Part.P district attorneys;	Privacy Act 5 USC Sec 552a		2. Health Information Quality, 5. Use Limitation
	PAHRA - Patients Access to Health Records Act	No preemption for PAHRA except 123110(c) by HIPAA 164.524 x-rays; 123111 all by 164.526 written addendums, addendums with disclosures, provider liability & violation by provider; 123115(b) by 164.524(a) psychotherapy notes having adverse consequences; 123130 by 164.524 summary of record to patient. Note: 123149 & 123149.5 deals with electronic record keeping and transmission (telehealth).			2. Health Information Quality, 7. Security Safeguards

Sub-Category	Description	Policy Requirements	Source	Preemption	Principle Categories
CA State Law - Preemption					
	LPS - Lanterman, Petris, and Short Act Confidentiality Provisions	No Preemption for Welfare & Institutions Code 5328, except Partial P for (r) psychotherapist believes harm to self or others; Total P for 5328.06 protection & advocacy; Total P 5328.4 law enforcement.	CA Wel & Inst Code 5328B		3. Individual Participation, 7. Safety Safeguards
	Definitions	IIHI - Individually Identifiable Health Information - Individually Identifiable Health Information (IIHI) is information that is a subset of health information, including demographic information collected from an individual that: Is created or received by a health care provider, health plan, employer, or health care clearinghouse, and Relates to: 1. The past, present, or future physical or mental health condition of an individual, 2. The provision of health care to an individual, or 3. The past, present, or future payment or the provision of payment of health care to an individual, and 4. Identifies the individual, or 5. Has a basis to believe the information can be used to identify the individual. [45 C.F.R. § 160.103 (definition of individually identifiable health information)]	Compare with the CMIA Civil Code 56.01 definition of medical information		2. Health Information Quality, 3. Individual Participation, 4. Collection Limitation, 5. Use Limitation, 6. Purpose Limitation, 7. Security Safeguards,
	National security	HIPAA allows collection of PHI by national security, intelligence and presidential protection services	HIPAA 45 CFR §164.512(k)(2)		4. Collection Limitation
	FDA regulated product or safety activity	May collect or report certain data	CA Civil Code 56.10 c14 HIPAA 45 CFR 164.512 b1		4. Collection Limitation

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CA State Law - Preemption					
	Military / VA	Departments of Defense or Transportation may collect and disclose to the Department of Veterans Affairs the medical information of a member of the Armed Forces upon separation or discharge from military service for the purpose of determining eligibility for or entitlement to veterans' benefits	HIPAA 45 CFR §164.512(k)(1)(ii)		4. Collection Limitation, 5. Use Limitation
	OSHA	May collect or report certain medical information			4. Collection Limitation
	CLIA	Laboratory data disclosing test results must go to the provider, not direct to the consumer. Unless the consumer ordered the test. CA law about electronic transmission of the test results (HIV) find citation.			5. Use Limitation, 3. Individual Participation
	FERPA	Education related			

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Collection					
	Collection of information, i.e., individually identifiable health information (IIHI), (shall, should, may) be necessary ;	HIPAA does not impose requirements on the collection of health information. IPA Civil Code Section 1798.15 - as practicable directly from individual; only applies to state agencies. Note: the IPA applies to State Government Agencies only.	IPA Civil Code section 1798.15		4. Collection Limitation, 3. Individual Participation
	Consent (shall, should, may) be obtained or collection (shall, should, may) be authorized by or under law ;	IPA Civil Code Section 1798.16 - maintain the source of the info collected. Need to include JCAHO in this analysis for hospitals since JCAHO has some specific consent requirements, e.g. photos.	IPA Civil Code Section 1798.16		6. Purpose Limitation
	Individuals (shall, should, may) be fully informed of the collection .	HIPAA requires notice. IPA Civil Code Section 1798.17 - Agency shall provide notice when collecting info, does not apply to law enforcement & must conform with Federal Privacy Act of 1974 (Public Law 93-579)	HIPAA – 45 CFR section 164.524 IPA Civil Code Section 1798.17		3. Individual Participation
Limiting Collection by Purpose	Information collection (shall, should, may) be limited to and required for only the identified purpose ;	HIPAA requires that covered entities requesting PHI limit their request to the minimum necessary for the purpose for which the data is being collected			6. Purpose Limitation
	Purpose of collection (shall, should, may) be clear at or before time of collection;	HIPAA requires that such practices be generally described in the covered entity's notice of privacy practices. If not properly described, use for the purpose is not permitted. How does this relationship impact the exchange between data providers and data consumers? For example, mandated public health reporting vs. permissible public health reporting.	HIPAA - 45 CFR Section 164.520		6. Purpose Limitation
	Information (shall, should, may) be collected by fair and lawful means .	Not a HIPAA requirement			6. Purpose Limitation
Minimum Necessary By Purpose	Collection (shall, should, may) be limited to the minimum amount of data necessary to achieve the purpose for which the collection is being done. This applies to identifiers of a person as well as any other health	Not a HIPAA requirement IPA - Maintain records on info necessary to accomplish purpose.	IPA Civil Code Section 1798.14		6. Purpose Limitation

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Collection					
	information about that person.				
	The assignment of a subject's identifier to the data being collected (shall, should, may) be done only when necessary and allowed and in accordance with prescribed circumstances.	Identifier here should be broadly interpreted under HIPAA to include, at a minimum, the 18 facial identifiers called out in the privacy rule.	HIPAA - 45 CFR Section 164.514(b)		6. Purpose Limitation

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Use and Disclosure					
	<p>Use of information (shall, should, may) be necessary;</p> <p>Disclosure of information (shall, should, may) be necessary;</p> <p>Payment</p>	<p>Use of information shall be necessary;</p> <p>CMIA Civil Code Section 56.16 - Does not prohibit general acute care provider from releasing info. (as defined) except as defined in Civil Code section 56.05(c)</p> <p>CMIA Civil Code Section 56.26 - Admin staff of programs that provide payment for health care services shall restrict use/disclosure to that necessary for the administration of the program, or as required by law, or with authorization.</p> <p>HIPAA permits disclosures of PHI for certain purposes and under certain conditions.</p> <p>CMIA Civil Code sections 56.10 (a) & (b) (1 - 9) covers required disclosures, [check 2007 updates]</p> <p>CMIA Civil Code section 56.10(c) covers permitted disclosures, (1-19) which includes purposes of disease management and exceptions.</p> <p>Discretionary</p> <p>CMIA Civil Code section 56.16 - Does not prohibit general acute care provider from releasing info. (as defined) except as defined in Civil Code section 56.05 (c)</p> <p>CMIA Civil Code section 56.21 - Valid authorization – defined</p> <p>CMIA Civil Code section 56.23 - Employer shall communicate to receiver of info based on an authorization, any limitations.</p> <p>CMIA Civil Code section 56.245 - Recipient of info based on an authorization may not further disclose.</p> <p>IPA Civil Code section 1798.20- Rules of conduct</p> <p>IPA Civil Code section 1798.23 - DOJ shall review every 5 yrs. to determine if exemption should continue.</p>	<p>HIPAA - 45 CFR section 164.509 & 164.512</p> <p>CMIA Civil Code section 56.16</p> <p>CMIA Civil Code section 56.26</p>		5. Use Limitation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Use and Disclosure					
	<p>For certain uses, individual consent or authorization (shall, should, may) be required or such use (shall, should, may) be authorized by or under law.</p> <p>For certain disclosures, consent or authorization (shall, should, may) be required or disclosure (shall, should, may) be authorized by or under law</p> <p>Research & Quality improvement [description of provider needs to be more specific] Evidence code should be released to patient's attorney</p>	<p>HIPAA does not require consent for certain purposes but requires authorization for USE of PHI in a number of instances</p> <p>CMIA Civil Code section 56.11 Various aspects of authorization</p> <p>CMIA Civil Code section 56.20 Establish appropriate procedures to protect (includes required authorization, no discrimination if employee refuses to sign authorization under 56.11 and restrictions on disclosures.</p> <p>CMIA Civil Code section 56.21 - Valid authorization - defined</p> <p>CMIA Civil Code section 56.22 - upon demand provide copy of authorization to patient</p> <p>HIPAA requires authorization for DISCLOSURE of PHI in a number of instances.</p> <p>For Research, IRB approval is needed for disclosure.</p> <p>CMIA Civil Code section 56.11 - Various aspects of Authorizations</p> <p>Civil Code section CMIA 56.102 Pharmaceutical companies may not disclosure without authorization.</p> <p>CMIA Civil Code section 56.26 - Admin staff of programs that provide payment for healthcare services shall restrict use/disclosure to that necessary for the administration of the program, or as required by law, or with authorization (exception Insurance Info Privacy Act. CMIA Civil Code section 56.105 - Release for Provider Liability)</p>	<p>HIPAA 45 CFR sections 164.502 & 164.512</p> <p>CMIA Civil Code section 56.11</p> <p>CMIA Civil Code section 56.20</p> <p>CMIA Civil Code section 56.21</p> <p>CMIA Civil Code section 56.22</p> <p>Evid. Code section 1158</p> <p>CMIA Civil Code sections 56.11, 56.102</p> <p>CMIA Civil Code section 56.26</p> <p>CMIA Civil Code section 56.105</p>		3. Individual Participation
Permitted Uses	<p>Information use (shall, should, may) be limited to and required for only the identified purpose</p> <p>Information disclosure (shall, should, may) be limited to and required for only the identified purpose</p>	<p>HIPAA limits the use of PHI by covered entities to a set of permitted purpose for which the data may be used</p> <p>CMIA Civil Code section 56.13 - No redisclosureHIPAA limits the use of PHI by covered entities to a set of permitted purpose for which the data may be used. Any disclosure must be limited to the information necessary to carry out the purpose of the disclosure.</p> <p>42 CFR Part 2: Any disclosure must be authorized</p> <p>CMIA CA Civil Code section 56.13 - No redisclosure</p> <p>CMIA CA Civil Code section 56.14 - Provider shall communicate any limitations regarding use of information</p> <p>IPA CA Civil Code section 1798.24 (f) governmental entity, (g) Public</p>	<p>HIPAA 45 CFR sections 164.502 & 164.512</p> <p>CMIA Civil Code section 56.13</p>		5. Use Limitation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Use and Disclosure					
		Records Act (Government Code sections 6250-6270), (h) research, (i) health & safety Regarding the use of the information			
	Use (shall, should, may) not be conditioned on patient consent or authorization Disclosure (shall, should, may) or not be conditioned on patient consent or authorization.	HIPAA requires authorization for USE of PHI in a number of instances HIPAA does not require consent for treatment, operations or payment but requires authorization for DISCLOSURE of PHI in a number of instances. Consent is required for certain sensitive info to be disclosed. CA law [site] does require a consent to disclose info to payer for HIV info. 42 CFR Part 2: Federally funded alcohol and drug abuse treatment program can not disclose identified patient recommendation Pharmaceutical company may not require a patient, as a condition of receiving pharmaceutical, to sign authorization/release/consent or waiver permitting disclosure.	HIPAA 45 CFR 164.512		3. Individual Participation
		Permitted uses for treatment, payment and health care operations without the need for a patient consent or authorization for such uses and disclosures IPA CA Civil Code section 1798.24(n) Agencies paying claims, except psychotherapy notes Permitted disclosure for treatment, payment and health care operations without the need for a patient consent or authorization of such uses and disclosures CMIA CA Civil Code section 56.10(c)(2) Release permitted for treatment or payment. CMIA CA Civil Code section 56.10(c)(4)(5) Release permitted for some healthcare operations activities	Requirement HIPAA 45 CFR sections 164.502 & 164.506 IPA CA Civil Code section 1798.24(n)	Part. P of IPA CA Civil Code section 1798.24(n) by 45 CFR section 164.508 (a)(2)	
		Permitted uses for certain situations in which the patient needs to be afforded an opportunity to agree or object (provider directories, to those involved in individual's care and for notification purposes). 45 CFR section 164.510 in the context of HIE is very limited. Patient must be present/available or the disclosure must be made based on the professional judgment of the covered entity. CMIA CA Civil Code section 56.16 - Does not prohibit general acute care	Requirement HIPAA 45 CFR section 164.510 CMIA CA Civil Code sections 56.16, 56.05(c),		

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Use and Disclosure					
		<p>provider from releasing info. (as defined) except as defined in CA Civil Code section 56.05 (c)</p> <p>CMIA is silent on disclosures to family and those involved in the care of the patient.</p> <p>CMIA CA Civil Code section 56.10(c)(5) allows disclosure to state or federally recognized disaster relief org for responding to welfare inquires</p> <p>Civil code section 56.1007(C) mirrors HIPAA provision for relief to disaster relief organization</p> <p>Permitted disclosure for certain situations in which the patient needs to be afforded an opportunity to agree or object (provider directories, to those involved in individual's care and for notification purposes)</p>	56.10(c)(5), CA Civil Code section 56.1007(c)		
	<p>This section crosses over [CMIA CA Civil Code section 56.17(g) to Authorizations, CA Civil Code section 56.11]</p>	<p>Permitted uses for certain situations for which the patient MUST first authorize such uses and disclosures (marketing, psychotherapy notes), and the form and manner in which such authorization must be achieved</p> <p>CMIA CA Civil Code section 56.104 - Outpatient Psychotherapy records</p> <p>CMIA CA Civil Code section 56.17 - Genetic Info. release by healthcare service plan</p> <p>Permitted disclosure for certain situations for which the patient MUST first authorize such uses and disclosures (marketing, psychotherapy notes), and the form and manner in which such authorization must be achieved</p> <p>CMIA CA Civil Code section 56.104 - Psychotherapy records</p> <p>CMIA CA Civil Code section 56.17 - Genetic Info.</p> <p>CMIA CA Civil Code section 56.265 - Insurers shall not disclose IHI to affiliate or third party for use to grant credit.</p> <p>CMIA CA Civil Code section 56.27 - Employers that are in insurance Info & Privacy Protection Act Article 6.6, Section 791 of Part 2 of Division 1 of the Insurance Code, shall not be deemed to have violated CA Civil Code section 56.20 by disclosing medical info gathered in connection with an insurance transaction.</p>	<p>Requirement HIPAA 45 CFR section 164.502</p> <p>CMIA CA Civil Code section 56.104</p> <p>CMIA CA Civil Code section 56.17</p>		

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Use and Disclosure					
	Section 1798 of Civil Code	<p>Permitted uses for certain situations in which the entity does not have to obtain a patient authorization, or give the patient the opportunity to agree or object, such as public health</p> <p>CMIA CA Civil Code section 56.10 (c) covers permitted disclosures, (1-19) which includes purposes of disease management and exceptions.</p> <p>Patient must be present/available or the disclosure must be made based on the professional judgment of the covered entity."</p> <p>Permitted disclosure for certain situations in which the entity does not have to obtain a patient authorization, or give the patient the opportunity to agree or object [numerous reporting regulations]</p>	<p>Requirement HIPAA 45 CFR section 164.510</p> <p>CMIA CA Civil Code section 56.10(c)</p> <p>Title 17 CCR, Code of CA Health & Safety - numerous reporting requirements</p>		
Minimum Necessary by Purpose	<p>Information being used (shall, should, may) be limited to the minimum necessary amount to achieve the purpose for the use. This applies to identifiers of a person as well as any other health information about that person.</p> <p>Disclosure (shall, should, may) be limited to the minimum amount of information necessary to achieve the purpose for which the disclosure is being made. This applies to identifiers of a person as well as any other health information about that person. This section crosses over [CMIA CA Civil Code section 56.17(g) to Authorizations, CA Civil Code section 56.11]</p>	<p>Minimum necessary applies to ALL uses except:</p> <ol style="list-style-type: none"> 1) when done by a provider for treatment purposes; 2) to the individual subject of the information; 3) when done pursuant an authorization from an individual; 4) when done as part of the compliance with HIPPA <p>Minimum necessary applies to ALL uses and disclosures except</p> <ol style="list-style-type: none"> 1) when done by a provider for treatment purposes; 2) to the individual subject of the information; 3) when done pursuant an authorization from an individual; 4) when done as part of the compliance with HIPAA TCS; 5) when done to HHS for HIPAA enforcement purposes; 6) when required by other law. CMIA CA Civil Code section 56.104 - Psychotherapy records CMIA CA Civil Code section 56.17 - Genetic Info. 	HIPAA 45 CFR section 164.502(b)		5. Use Limitation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Use and Disclosure					
Cross-Policy Domain Data Flows	Disclosure (shall, should, may) be permitted if it has been ascertained that recipient is subject to comparable information privacy scheme; or Disclosure is with individual's consent ; or Disclosure is necessary by contract at the request of , or to benefit of the individual	HIPAA does not impose cross-policy domain controls; HIPAA DOES require certain disclosures to be done with individual's authorization, regardless of whether the recipient has a reasonably comparable privacy scheme or not			3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
	<p>Individual (shall, should, may) have the right to control collection, use and disclosure of PHI as established by law or regulation.</p> <p>There are three forms of consent: deemed, implied or active.</p> <p>Deemed consent is determined by jurisdictional law or regulation authorizing collection, use or disclosure without active individual consent, e.g., disclosures for public health.</p> <p>Implied consent is an opt-out option in which an individual must actively refuse collection, use and disclosure of PHI.</p> <p>Active consent is when the individual must provide authorization before the collection, use and disclosure of PHI may occur.</p>	<p>HIPAA does not require consent for use and disclosure (as above) for treatment, operations or payment.</p> <p>HIPAA requires authorizations for other enumerated uses and disclosures.</p> <p>42 CFR Part 2: Federally funded alcohol and drug abuse treatment program can not disclose identified patient records without patient's consent.</p> <p>Consent for treatment is not a subject of this framework</p> <p>CMIA - disclosure of medical info regarding a patient subject to CA Civil Code section 1798.24 made only with a compliant authorization.</p> <p>IPA CA Civil Code section (b) disclosure of personal info needs prior written voluntary consent of individual (within 30 days or time specified)</p> <p>LPS Welfare and Institutions Code Welfare and Institutions - Consent for each separate use</p>	<p>HIPAA 45 CFR section 164.508 42 CFR Part 2</p> <p>CMIA CA Civil Code section 6.29(b) IPA CA Civil Code section 1798.24 (b) LPS Welfare and Institutions Code section 5328.7</p>		3. Individual Participation
Easy to Use and Understand	Forms authorizing consent shall be in plain language that explains the individual's options and purpose of consent	<p>HIPAA requires plain language –</p> <p>IPA - Agencies may establish reasonable fees for copies - shall be in plain language.</p> <p>PAHRA Health and Safety Code section 123148 Test results to be in plain language</p> <p>IPA CA Civil Code section 1798.34 (c) - plain language</p>	<p>HIPAA 45 CFR section 164.520(b) IPA CA Civil Code section 1798.34 PAHRA Health and Safety Code section 123148(a) IPA CA Civil Code section 1798.34c</p>	IPA CA Civil Code section 1798.34c per 45 CFR 164.512(a)(1)	3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
Consistent with Quality Care	Consent for collection, use and disclosure requirements shall not create barriers to providing medically necessary care but be part of the normal process of quality care delivery.	HIPAA requires that uses and disclosures requirements do not interfere with providing medically necessary care CMIA - Provider may not require a patient to sign an authorization/release/consent/waiver as a condition of treatment. Any such waiver deemed unenforceable. CMIA CA Civil Code section 56.25 - Employer shall not disclose info connected to providing health care benefits	HIPAA - 45 CFR section 164.506(b) CA Civil Code section 56.37 CMIA CA Civil Code section 56.25 (a)(b)(c)		3. Individual Participation, 5. Use Limitation
Respectful of Individual Needs	Social , cultural, literacy, religious needs	Not a HIPAA requirement			3. Individual Participation
	Medical conditions	Not a HIPAA requirement			3. Individual Participation
	Individual's sensitive information needs	HIPAA requirements on psychotherapy notes CMIA CA Civil Code section 56.104 - Psychotherapy records CMIA CA Civil Code section 56.17 - Genetic Information Welfare and Institutions Code section 5328 - All info obtained in providing services under Div.4, 4.1, 4.5, 5, 6, or 7 to be kept confidential Welfare and Institutions Code section 5328.15 - Safeguard confidential information PAHRA Health and Safety Code section 123125(a) - Shall not require provider to permit inspection /copies of alcohol & drug abuse records prohibited by Sec. 408 of federal Drug Abuse Office & Treatment Act of 1972 (Public Law 92-255) or Section 333 of federal Comprehensive Alcohol Abuse & Alcoholism Prevention, Treatment, & Rehabilitation Act of 1970 (public Law 91-616) PAHRA Health and Safety Code section 123110 & 123115 - minor's records, mental health records, written record, other provider inspection, refusal for access.	CMIA CA Civil Code section 56.104 CMIA CA Civil Code section 56.17 Welfare and Institutions Code section 5328 & 5328.15 PAHRA Health and Safety Code section 123125 PAHRA Health and Safety Code section 123115(b) Part.P with 45 CFR 164.524(a) Psychotherapy		5. Use Limitation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
			notes		
	Other	Not a HIPAA requirement			
	Minors	Minors control access to the medical information concerning treatment for which they have a legal right to give consent. CA Health & Safety Code sections 123110 (a), 123115a. HIPAA 45 CFR & 164.502g	PAHRA CA Health & Safety Code sections 123110 (a) &, 123115a HIPAA 45 CFR & 164.502g CA Health & Safety Code sections 120980, 120775, & 120980		3. Individual Participation
	HIV Test Results	HIV- CA requires that HIV test results shall not be disclosed without the written authorization from the patients. CA Health & Safety Code sections 120980, 120775, & 120980 HIV test results may be disclosed to personal representative, for treatments purposes, organ/tissue donationHIV may be disclosed in with a court order CA Penal Code sections 1202.1 and 1524.1	CA Health & Safety Code section 123110 HIPAA 45 CFR section 164.506 HIPAA 45 CFR sections 164.512 h, & 164.512 g1 CA Health & Safety Code section 7184.5d CA Health & Safety Code section 121010		5. Use Limitation, 3. Individual Participation

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Consent					
	Mental Health	Mental Health – LPA covers disclosures to third parties of mental health information created at wards, clinics ...etc founded by the Brozman-McCrquodale Act. CMIA applies to disclosures that are not covered by LPA Act (generally private community mental health providers) CMIA provides that no provider may release information specifically relating to psychotherapists activity.	CA Civil Code section 56.104		5. Use Limitation
	Psychotherapy Notes	Psychotherapy Notes may only be used or disclosed with a written authorization except, for TPO, by originator, to DHHS or prevent imminent threat. Public Health-must disclose in situations of harm to self or others (eminent threat) Keep psychotherapy notes separate from medical records, otherwise not protected by HIPAA.	HIPAA 45 CFR sections 164.501& 164.508		5. Use Limitation
	Drug and Alcohol Abuse	Regulations restrict the disclosure and use of "patient identifying" information about individuals in substance abuse treatment. Patient-identifying information is information that reveals that a person is receiving, has received, or has applied for substance abuse treatment	42 C.F.R. §§ 2.34 and 2.35		5. Use Limitation
	Genetic Testing	All testing results and personal information from hereditary disorders programs obtained from any individual, or from specimens from any individual, shall be held confidential and be considered a confidential medical record	Health and Safety Code §124980j		5. Use Limitation
Right to Control Access by Others	Individuals (shall, should, may) have control over whether and how their information is shared.	General 'principle' established by HIPAA PAHRA Health and Safety Code section 123135 - Does not grant greater access to patient records by any...	HIPAA 45 CFR section 164.522(a) PAHRA Health and Safety Code section 123135		3. Individual Participation
	The individual (shall, should, may) have the ability to opt-out in whole or part.	HIPAA requires that opt-out options be offered, BUT ONLY ON specific types of uses and disclosures (i.e., fundraising)	HIPAA – N/A		3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
	The individual (shall, should, may) be able to limit use and disclosure of information for commercial purposes.	HIPAA requires authorization for such uses and disclosures	HIPAA 45 CFR 164.501 Definition of marketing		3. Individual Participation
	The individual (shall, should, may) have the revocable right to designate someone else to exercise this control.	HIPAA provides for personal representatives, but do not establish the legal process by which a personal representative is designated as such by a person/patient 42 CFR Part 2: Federally funded alcohol and drug abuse treatment program can not disclose identified patient records without patient's consent IPA Health and Safety Code section 1798.24(c) authorized representative (guardians or Personal Representatives)	HIPAA 45 CFR 164.502(g) 42 CFR Part 2 IPA CA Civil Code section 1798.24 (c)		3. Individual Participation
Revocation	Individuals (shall, should, may) have the right to revoke consent or authorization to future access.	42 CFR Part 2 permits a patient to revoke consent orally HIPAA requires written revocation CMIA CA Civil Code section Nothing construed to prevent person from cancelling or modifying an authorization PAHRA CA Civil Code section - able to revoke at any time	HIPAA 45 CFR 164.524 42 CFR Part 2 CMIA CA Civil Code sections 56.15 & 56.24 PAHRA Health and Safety Code section 123148		3. Individual Participation, 8. Accountability
	Rights of Individuals	IPA CA Civil Code section 1798.30 - agencies shall adopt regulations or publish guidelines specifying procedures to implement each of the rights of individuals set forth in this article. IPA CA Civil Code section 1798.34(b) - right of individual or representative to inspect all personal info & get copies. CA Constitution - Article 1, Section 1 entitled to privacy	IPA CA Civil Code section 1798.30 HIPAA – 45 CFR sections 164.524 & 164.526 IPA CA Civil Code section 1798.34b CA Constitution Art. 1 Sec 1	IPA CA Civil Code section 1798.34b no P. per 45 CFR 164.512(a)(1)	3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
Access to One's Own Information By Individual	<p>Upon request, an individual (shall, should, may) be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information.</p> <p>Access (shall, should, may) be reasonable, appropriate, convenient, afford</p> <p>Right to Copy</p>	<p>Right to access personal health information for review and/or copy. Note: there are operational details requiring denial of access to certain information</p> <p>No preemption</p> <p>Civil Code section 56.07 only</p> <p>[by operation of HIPAA provision section 45 CFR 164.512(a)(1)]</p> <p>(b) A request by a patient pursuant to this section shall not be deemed to be an authorization by the patient for the release or disclosure of any information to any person or entity other than the patient.</p> <p>(c) this section does not apply to patients covered by PAHRA</p> <p>CMIA CA Civil Code section 56.28 Nothing in this part shall affect existing laws relating to patient right of access or relating to disclosures made pursuant to Section 1158 of the Evidence Code or its related privileges.</p> <p>CMIA CA Civil Code section 56.29(a) Nothing in Chapter 1, Section 1798 on, of Title 1.8 of part 4 of Division 3 shall permit acquisition or disclosure of med. information without authorization. Partial preemption Civil Code subdivision 56.28(a) but not (b) and (c), no corresponding HIPAA provision.</p> <p>CMIA CA Civil Code section (b) & (c) with authorization for specified time and limitations on information (Chap 1, Sec 1798, Title 1.8 of part 4 of Div 3) both preempted by HIPAA.</p>	<p>HIPAA 45 CFR section 164.524</p> <p>45 CFR section 164.512(a)(1)</p> <p>CMIA CA Civil Code section 56.07</p> <p>CMIA CA Civil Code section 56.28</p> <p>CMIA CA Civil Code section 56.29</p>		3. Individual Participation
		<p>PAHRA Health and Safety Code section 123110(a)-(j) right to inspect, entitled to copies, x-rays, public assistance, appeals - right to copies, successful appeals, timing of responses, reasonable verification, provider liability, provider violation penalties, withholding records</p> <p>IPA CA Civil Code section 1798.32 - Individuals rights to access</p> <p>IPA CA Civil Code section 1798.33 - agencies may establish fees for copies & 1798.34(e) - true copy by mail.</p> <p>IPA CA Civil Code section 1798.34 - Timeliness of access</p> <p>IPA CA Civil Code section 1798.34(d) - additional info to access</p>	<p>PAHRA Health and Safety Code section 123110 (a) - (j)</p> <p>IPA CA Civil Code section 1798.32</p> <p>IPA CA Civil Code section 1798.33</p> <p>IPA CA Civil Code section</p>	<p>PAHRA Health and Safety Code section 123110(c)</p> <p>Tot.P by 45 CFR section 164.524</p> <p>CA Civil Code section 1798.32 & 45 CFR section 164.524(a)(2) &</p>	

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
			1798.34(a)(d) No.P both (d) & 45 CFR 164.514	(d)(3) [access to PHI] IPA CA Civil Code section 1798.33 Part.P by 45 CFR section 164.524(c)(4)	
	Exceptions to Authorization being required:	<p>CMIA CA Civil Code section 56.21 - Valid authorization – defined</p> <p>CMIA CA Civil Code section 56.23 - Employer shall communicate to receiver of info based on an authorization, any limitations.</p> <p>CMIA CA Civil Code section 56.245 - Recipient of info based on an authorization may not further disclose.</p> <p>CMIA CA Civil Code section 56.30 Disclosure and use of the following medical info shall not be subject to the limitations of CMIA 56 regarding: (a) mental health records & disabilities, (b) Public Social Services, (c) Public Health (d) Licensing & Statistics (e) Medical Surveys, Workers' Safety (f) Industrial Accidents (g) Law enforcement (h) Employment Accidents/Illness (i) Alcohol or Drug Abuse (j) Patient Discharge Data (k) Insurance Commissioner, Managed Care, Worker's Comp, etc.</p> <p>CMIA CA Civil Code section 56.31 Nothing in CMIA 56.30 permits disclosure or use of HIV info.</p> <p>LPS Welfare and Institutions Code - agency access to records of person with developmental disabilities in a developmental disability facility with consent and no guardian</p> <p>PAHRA Health and Safety Code -entitled to inspect</p> <p>IPA CA Civil Code section 1798.40 Exceptions to Access - (a) through (h); criminal ID, criminal investigations, enforcement, licensure & employment, employment exams, detrimental to individual, workers' comp., required by law, allowed by law</p>	<p>CMIA CA Civil Code section 56.21</p> <p>CMIA CA Civil Code section 56.23</p> <p>CMIA CA Civil Code section 6.245</p> <p>CMIA CA Civil Code section 56.30(a) - (k)</p> <p>CMIA CA Civil Code section 56.31</p> <p>LPS Welfare and Institutions Code section 5010</p> <p>PAHRA Health and Safety Code section 123110(a)</p> <p>IPA CA Civil Code section 1798.40</p>		3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
		<p>IPA CA Civil Code section 1798.41- (a) exempt from access provide denial in writing, (b) agency shall conduct review of determination, (c) agency doesn't have to provide a written denial in situations of law (apprehending criminal)</p> <p>IPA CA Civil Code section 1798.42 - 1798.78 all deal with access issues including: info about others, deletion of exempt info, rights of individual, civil action, civil penalties, order or judgment, liability, court jurisdiction, civil action limitations, correction after time limit, public officials liability, intentional violation, false pretenses, misdemeanor, commercial purposes, license, names & addresses, mailing lists, rights of privacy, DGS storage, time limits for access-FTB, leans on real property, district attorneys, Board of Equalization, supersedes other state law, litigation, disclosures, constitutional rights to privacy, student records, Public Records Act, judicial decisions, modification-transfer or destruction of records, state university employees</p>	IPA CA Civil Code section 1798.41 (a-c)		
Access to Individual's Information By Personal Representative of Individual	Personal representatives (shall, should, may) be authorized by individual or by law	<p>HIPAA recognizes a personal representative as having the same rights and control authority as the patient subject of the information</p> <p>CMIA CA Civil Code section 56.11 – Various aspects of Authorizations</p> <p>CMIA CA Civil Code section 56.12 - Upon demand provide to provide copy</p> <p>LPS- Welfare and Institutions Code - agency access to records of person with developmental disabilities in a developmental disability facility with consent and no guardian</p> <p>PAHRA Health and Safety Code -entitled to inspect</p> <p>IPA CA Civil Code section 1798.20 Rules of conduct</p> <p>IPA CA Civil Code section 1798.23 DOJ shall review every 5 yrs. to determine if exemption should continue.</p> <p>IPA CA Civil Code section 1798.24(d) use of info by government entities(e) constitutional or statutory duties, (f) governmental entity, (g) Public Records Act, (h) research, (i) health & safety, (j) state archives, (k) court orders, (l) warrants, (m) DMV, (n) payment Claims, (o) law enforcement, (p) investigations, (q)&(r) adopted persons & medically necessary, (s) legislature, (t) UC research, (u) Insurer under DMV, (v) pursuant to Section 1909, 8009 or 18396 of the Financial Code, but not disclosure is not required</p>	<p>HIPAA 45 CFR section 164.502</p> <p>CMIA CA Civil Code section 56.11& 56.12</p> <p>LPS Welfare and Institutions Code section 010</p> <p>PAHRA Health and Safety Code section 123110(a)</p> <p>IPA CA Civil Code section 1798.20</p> <p>IPA CA Civil Code section 1798.23</p> <p>IPA CA Civil</p>	<p>HIPAA 45 CFR section 164.508</p> <p>Tot.P of IPA CA Civil Code section 1798.24(d)</p> <p>Tot.P by 45 CFR sections 164.502 [uses & disclosures], 164.506 [TPO] & 164.508 [authorizations]</p>	3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
		if Section 1798.40	Code section 1798.24(d) IPA CA Civil Code section 1798.24(e)		
Amendment Individual's Information by Individual or Personal Representative	Individual (shall, should, may) have the right to challenge the accuracy and completeness of their information and request amendment as appropriate. Organization (shall, should, may) determine whether to accept amendment and if declined, has process for a	<p>Right to request amendments to health information</p> <p>PAHRA - patient's right to a written addendum to an incomplete or incorrect record</p> <p>PAHRA Health and Safety Code sections 123110(c) x-rays 123111(a) - (d) written addendums, addendums with disclosures, provider liability, violation by provider</p> <p>IPA CA Civil Code section 1798.35 - Agencies will permit requests to amend info</p> <p>IPA CA Civil Code section 1798.36 - Agencies will permit Disagreement with denials for amendment</p> <ul style="list-style-type: none"> • CA Civil Code section 1798.37 - Agency shall clearly note portion in Disagreement when disclosed • CA Civil Code section 1798.38 Exceptions - employment, adoptive parents, contracts, licensing • CA Civil Code section 1798.39 Sections .35, .36 & .37 shall not apply to evidence of property rights. Implementation [The operational consideration here for the HIE is how such a request will be received and processed, and how the amendment/addendum will be communicated to others that have previously received copies of the amended/addenda information.]] 	HIPAA 45 CFR 164.526 PAHRA - Health and Safety Code section 123110(b) PAHRA Health and Safety Code section 123111(a) IPA CA Civil Code section 1798.35	Tot.P of PAHRA Health and Safety Code section 123110(c) by 45 CFR section 164.524 PAHRA Health and Safety Code section 123111(a)-(d) Tot.P by 45 CFR section 164.526	3. Individual Participation
	Right to an accounting of disclosures	<p>Individuals have the right to receive a list of certain disclosures made of their medical information.</p> <p>Implementation [Operational consideration for HIE is how disclosures are classified and recorded to facilitate a response to such a request. CS]</p>	HIPAA 45 CFR section 164.528		3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Consent					
Request Restrictions	Individual (shall, should, may) have the right to request restrictions on the use and disclosures of his/her health information	Right to request privacy protections to health information, including restrictions on the use and disclosure of health information. They can terminate special restrictions. Entity to make good faith effort to accommodate, but not required if operationally impractical.	HIPAA 45 CFR section 164.522		5. Use Limitation, 3. Individual Participation
Right to access, inspect and obtain a copy	Right to access, inspect and obtain a copy of health information	Individual has a right of access to inspect and obtain a copy of protected health information, in a particular format, such as electronic.	HIPAA 45 CFR section 164.524		3. Individual Participation
NPP	Individuals have the right to receive notice about privacy practice from the holder of the information	Individuals have the right to receive notice about privacy practice from the holder of the information and any changes to privacy practices	HIPAA 45 CFR section 164.520	Get the citation	3. Individual Participation
Complaints	Individual have the right to complain	Individual can have the right to file a complaint under federal privacy regulations. with the holders of the data or with DHHS	HIPAA 45 CFR section 164.530d		3. Individual Participation
Suspension of individual rights	Temporary suspension of rights	in certain instances the individual rights may be suspended for a period of time with written notice to patient	HIPAA 45 CFR 164.512		3. Individual Participation
Right to agree or object	Individuals have the right to agree or object to the use of their PHI	That applies to use in directories	HIPAA 45 CFR section 164.510		3. Individual Participation
Request Private Communications	Right to request confidential communications – patients have the right to request communicate with the patients about medical matters in a certain way or at a certain location.	Right to request private communications	HIPAA 45 CFR section 164.522b		3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Protect Information (Data)					
	Individually Identifiable Health Information/ Protected Health Information IIHI/PHI (See glossary)	All individually identifiable health information held or transmitted by a covered entity or its business associate in any form or media, whether electronic, paper or oral	HIPAA 45 CFR section 164.501 definitions		2. Health Information Quality
Confidentiality	Information (shall, should, may) not be made available or disclosed to unauthorized persons	HIPAA - Confidentiality means the property that data or information is not made available or disclosed to unauthorized persons or processes 42 CFR - disclosure only allowed to medical personnel with bon fide medical reason CMIA CA Civil Code - Each employer who receives medical information shall establish appropriate procedures to ensure the confidentiality and protection from unauthorized use and disclosure of that info IPA CA Civil Code - same as Integrity PAHRA Health and Safety Code - implementation of policies and procedures to include safeguards for confidentiality and unauthorized access	HIPAA – 45 CFR section 164.502 & 164.512 42 CFR Part 2 CMIA CA Civil Code section 56.20 IPA CA Civil Code section 1798.21 PAHRA Health and Safety Code section 123149(g)		2. Health Information Quality, 5. Use Limitation
Anonymity	Anonymity to individual (shall, should, may) be allowed where lawful and practical	HIPAA defines De-identified data sets and the process for de-identifying PHI HIPAA addresses - entity de-identifying has responsibility 42 CFR - personnel must not identify IPA CA Civil Code - No agency may disclose any personal information in a manner that would link the info disclosed to the individual to whom it pertains unless the info is disclosed as follows: LPS Welfare and Institutions Code - Except as otherwise provided, confidential information shall not contain patient's name.	HIPAA 45 CFR section 164.522(b) 42 CFR Part 2 IPA CA Civil Code section 1798.24 LPS Welfare and Institutions Code section 5328.15		
Availability	Information (shall, should, may) be accessible and useable by authorized person	42 CFR - disclosure only allowed to medical personnel with bon fide medical reason PAHRA - preserve records for minimum of 7 years	HIPAA Security definitions Availability & 45 CFR section 164.502 PAHRA Health and	Title 22 - hospital licensing regulations & JAHCO	5. Use Limitation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Protect Information (Data)					
			Safety Code section 123145(a)		
Integrity	Information (shall, should, may) not be altered or destroyed in an unauthorized manner	Information has not been altered or destroyed in an unauthorized manner IPA CA Civil Code - establish safeguards to ensure the security & confidentiality of records, & to protect against anticipated threats to their security or integrity which could result in any injury. Each agency shall maintain all records, to the maximum extent possible, with accuracy, relevance, timeliness, and completeness IPA CA Civil Code section 1798.24 Agency shall de-identify info unless (a-v) CMIA CA Civil Code - every provider, plan, pharmaceutical, or contractor must maintain confidentiality of info from creation to disposal PAHRA Health and Safety Code - All providers set forth in subdivision (a) shall ensure the safety and integrity of all electronic media used to store patient records by employing an offsite backup storage CMIA CA Civil Code section 56.102 Disposal of Records PAHRA Health and Safety Code - Any use of record keeping shall ensure integrity of records of electronic media by employing off-site back-up storage system, an image mechanism to copy signature documents, and also ensure inalterability of documents. [Applies to design & operational management of interfaces and other types of data integrity.]	HIPAA 45 CFR 164.530(c) IPA CA Civil Code sections 1798.21; 1798.18 IPA CA Civil Code section 1798.24 CMIA CA Civil Code section 56.101 PAHRA Health and Safety Code section 123149.(b) CMIA CA Civil Code section 56.102 PAHRA Health and Safety Code section 123149(b)		2. Health Information Quality
Ownership	Current law doesn't pin down ownership, except in Title 22. Unclear issue, especially in an HIE.	Ownership of records obtained from other providers (HIPAA patient access section) comes into play in disclosure discussions.	Optional in HIPAA	Title 22 reference to ownership	5. Use Limitation
	For personal health information an individual (shall, should, may) be designated accountable	HIPAA requires designation of a Privacy/Security Official by the covered entity, assignment of responsibilities and authority to act IPA CA Civil Code section 1798.22 Agency shall designate responsible employee	HIPAA 45 CFR section 164.530(a) IPA CA Civil Code section 1798.22		3. Individual Participation, 8. Accountability

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Protect Information (Data)					
	For compliance	HIPAA requires compliance CMIA CA Civil Code section 56.20 Establish appropriate procedures to protect (includes required authorization, no discrimination if employee refuses to sign authorization under CA Civil Code section 56.11 and restrictions on disclosures).	HIPAA 45 CFR section 164.508 CMIA CA Civil Code section 56.20		8. Accountability
		IPA CA Civil Code section 1798.24a - request made to Law Enforcement for concessionaire screening IPA CA Civil Code section 1798.26 any person Requesting info must identify him/herself.(Sales of DMV info.) IPA CA Civil Code section 1798.28 - informing of Amendments Y changes to disclosure receivers what does this mean?	IPA CA Civil Code section 1798.24a IPA CA Civil Code section 1798.26 Tot.P by HIPAA 45 CFR section 164.528	45 CFR section 164.502 [uses & disclosures], 45 CFR section 164.506 [TPO] & 45 CFR section 164.508 [authorizations, as applicable)	8. Accountability
	To establish third party agreements	HIPAA requires business associate agreements	HIPAA 45 CFR section 164.504(e)		8. Accountability
	To establish privacy policy	HIPAA requires establishment of a number of organizational privacy policies and procedures to comply with regulations IPA CA Civil Code section 1798.21 Agency shall establish safeguards	HIPAA 45 CFR section 164.530(c) IPA CA Civil Code section 1798.21		8. Accountability
	To conduct privacy impact assessments.	We're not aware of any privacy legal requirement to conduct impact assessments			8. Accountability
Oversight	Compliance with policies (shall, should, may) be monitored with informed public oversight and consumer involvement.	CA Public Records Act - Government Code section 6250-6270 & Freedom of Information Act 5 USC Section 552. Both apply to public entities and does not grant public access to PHI.	HIPAA 45 CFR section 164.300		8. Accountability
Complaint Process	There (shall, should, may) be a complaint process. An individual may challenge all practices not in alignment with stated policies.	Right to file a complaint about privacy issues HIPAA requires entities to establish a complaint process; consumers can file complaints directly with organization or with Office for Civil Rights	HIPAA 45 CFR section 164.530		8. Accountability , 3. Individual Participation

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Protect Information (Data)					
Information Management Policy	It (shall, should, may) be easy to understand what policies are in place, how they were determined and how to make inquiries or comment. It (shall, should, may) be clear who has access to what information for what purpose.	Need to know Minimum necessary HIPAA requirements related to the content of the Notice of Privacy Practices PAHRA Health and Safety Code section 123149 -Develop & implement policies & procedures to include safeguards for confidentiality & unauthorized access to electronically stored health records, authenticated by sig. keys & systems maintenance IPA CA Civil Code section 1798.19 If agency contracts for record maintenance, contractor shall comply with law and are considered an employee of the agency	HIPAA 45 CFR section 164.520 PAHRA Health and Safety Code section 123149 IPA CA Civil Code section 1798.19	CMIA CA Civil Code section 56.21	8. Accountability
Notice of Privacy Policies and Rights	There (shall, should, may) be a process for providing notice of privacy practices and an individual' privacy rights to individuals that clearly describes how personal health information is handled and made making readily available as well as rights individual may assert under law, regulations, policy or practice.	Right to receive a Notice of Privacy Practices HIPAA also stipulates the elements of the process for providing and documenting the delivery of the Notice to consumers IPA CA Civil Code section 1798.17 - Agency shall provide notice when collecting info, does not apply to law enforcement & must conform with Federal Privacy Act of 1974 (Public Law 93-579)	HIPAA 45 CFR section 164.520 IPA CA Civil Code section 1798.17	CMIA CA Civil Code section 56.23	8. Accountability , 3. Individual Participation
Mitigation of Harm	Individuals may make complaint and request appropriate action	Mitigation of harm, in the event of a use or disclosure done in violation of privacy requirements or organization's own policies and procedures CMIA CA Civil Code section 56.35 - A patient whose medical info has been used or disclosed in violation of CA Civil Code section 56.10, 56.104, 56.20 or 56.26 (a) and has sustained loss, may recover damages (HIPAA and CA Civil Code section 56.35) CMIA CA Civil Code section 56.36 - Violation punishable as a misdemeanor, other actions & remedies, fines & civil penalties, Civil action PAHRA Health and Safety Code section 123120 Action by Patient for Violation PAHRA Health and Safety Code section 123145 - person injured as a result of licensee's abandonment of health records may bring action	HIPAA 45 CFR 164.530 CMIA CA Civil Code section 56.35 CMIA CA Civil Code section 56.36 PAHRA Health and Safety Code section 123120 & 123145		3. Individual Participation, 8. Accountability

Sub-Category	Description	Policy Requirements	Source	Preemption	Categories
Protect Information (Data)					
		for damage suffered. IPA CA Civil Code section 1798.29 agencies mitigation requirements for breaches	IPA CA Civil Code section 1798.29		
Accounting of Disclosures (Traceability)	Access (shall, should, may) be tracked and audited . Organizations (shall, should, may) provide individual with list of any disclosures outside of policy.	Right to request an accounting of certain disclosures that a covered entity has made of their PHI PAHRA Health and Safety Code section 123130 - Provider may prepare a summary of the record for inspection & copying by patient. IPA CA Civil Code section 1798.16 - agency shall maintain the source of info. IPA CA Civil Code section 1798.18 agency shall maintain records with accuracy, relevance, timeliness & completeness IPA CA Civil Code section 1798.25 - Accounting of disclosures IPA CA Civil Code section 1798.27 - Retention of Accounting of Disclosures (45 CFR section 164.308 - Administrative safeguards and 45 CFR section 164.312 - Technical safeguards) requires System Activity Review: "Implement procedures to regularly review records of information system activity, such as audit logs, access reports, and security incident tracking reports".	HIPAA 45 CFR section 164.528 PAHRA Health and Safety Code section 123130 IPA CA Civil Code section 1798.16 IPA CA Civil Code section 798.25.27 entities must also comply with 45 CFR section 164.528(d)	IPA CA Civil Code section 1798.25 entities must also comply with HIPAA	8. Accountability
Education	Organizations that maintain information (shall, should, may) insure that all authorized users receive adequate instruction on proper collection, use and disclosure of information	HIPAA requires organizations to provide appropriate education/training to their staff; HIPAA does NOT require education of consumers IPA CA Civil Code section 1798.20 Rules of conduct	HIPAA 45 CFR section 164.530(b) IPA CA Civil Code section 1798.20	CMIA CA Civil Code section 56.245	8. Accountability